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THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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April 1, 2020

**BY ECF**

Honorable Katherine Polk Failla  
United States District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Rahbu Behlin v. City of New York, et al.  
18-CV-4335 (KPF)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to represent Damion Brown, Victor Gonzalez, Garfield Mead, Victor Reyes and Malcial Tuero (“City Defendants”) in the above-referenced matter. City Defendants write to respectfully request a ninety (90) day stay of this litigation, including all scheduled deadlines and discovery, in light of the current pandemic. Co-defendant Rite Aid consents to this request. *Pro se* plaintiff Rahbu Behlin does not consent to this request because he wants to leave it up to the Court. This is City Defendants’ first request for such a stay.

As the Court is aware, the country is currently grappling with the COVID-19, or coronavirus pandemic. On March 7, 2020, Governor Andrew Cuomo declared that New York is in a state of emergency because of the rapidly developing pandemic situation. On March 13, 2020, Mayor Bill de Blasio followed suit, and declared New York City to be in a state of emergency as well. Further, on March 20, 2020, Governor Cuomo signed the “New York State On Pause” Executive Order, mandating that all non-essential personnel stay at home. In light of pronouncements from government officials, associated policies, expert recommendations, and the citywide efforts to curb the further spread of COVID-19, the New York City Law Department, along with the majority of employers in New York City beginning on or about March 15, 2020, increasingly transitioned its workforce to work from home status.

Due to the fact that the aforementioned recent developments have caused (1) this Office to reduce its in-office workforce to essential employees only, (2) the state courts to halt non-critical functions, and (3) health providers, businesses, and agencies throughout New York City and state to overwhelmingly reduce their in-office workforce, there has been a significant disruption in normal business functions that has affected the undersigned's ability to defend this matter. Specifically, at a minimum, the undersigned is unable to confer with and/or obtain discovery documents from the courts, district attorney's office, the police department, and/or health care providers. As such, this Office respectfully requests a ninety (90) day stay of this matter.

Thank you for your consideration herein.

Respectfully submitted,

*Stephanie De Angelis* /s/

Stephanie De Angelis

Assistant Corporation Counsel

cc: BY ECF  
Joseph Sam Fritzson  
*Attorney for Defendant Rite Aid*

By First Class Mail  
Rahbu Behlin (17-A-1400)  
*Plaintiff Pro Se*  
Otisville Correctional Facility  
P.O. Box 8  
Otisville, NY 10963

In light of the circumstances laid out in Defendants' letter of April 1, 2020 (Dkt. #60), this matter is hereby STAYED for 60 days. On or before June 1, 2020, Defendants shall submit a status letter to the Court. If the parties believe a further stay of the case is merited at that time, they may file a request to that effect. If the parties believe that they may resume their efforts to complete discovery in this matter, they shall provide a proposed revised case management plan by that date.

Dated: April 1, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

*A copy of this Order was mailed by Chambers to:*

Rahbu Behlin  
17-A-1400  
Otisville Correctional Facility  
P.O. Box 8  
Otisville, NY 10963

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE